

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 CHARLES NEWTON,

5 Plaintiff,

6 v.

7 STATE OF NEVADA,

8 Defendant.

Case No. 2:16-cv-01672-APG-GWF

**ORDER DISMISSING CASE BASED
ON REPORT AND
RECOMMENDATION**

(ECF No. 14)

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11 On July 20, 2017, Magistrate Judge Foley entered a report and recommendation that I
12 dismiss this case with prejudice because the plaintiff sues only the State of Nevada, which is not a
13 person under 42 U.S.C. § 1983. Plaintiff Charles Newton did not file an objection. I nevertheless
14 conducted a de novo review of the issues set forth in the report & recommendation. 28 U.S.C.
15 § 636(b)(1). Judge Foley sets forth the proper legal analysis and factual basis for the decision.

16 IT IS THEREFORE ORDERED that Judge Foley's report and recommendation (**ECF No.**
17 **14) is accepted.** This action is DISMISSED with prejudice. The Clerk of the Court is instructed
18 to close this case.

19 DATED this 6th day of September, 2017.

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21 ANDREW P. GORDON
22 UNITED STATES DISTRICT JUDGE
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